

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2015

CORAM:

THE HON'BLE MR. JUSTICE R.SUDHAKAR
AND
THE HON'BLE MR. JUSTICE P.N. PRAKASH

H.C.P.No.678 of 2015

E.Shanthi

Petitioner

vs.

1.The State rep. by
Superintendent of Police,
Thiruvallur Main Road,
JN Road, Thiruvallur - 602001

2.The Inspector of Police,
M4- Redhills Police Station,
Redhills, Thiruvallur District.

Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the second respondent police to produce the body or person of the detenu aged about 23 years by name A.Parthiban S/o.Ettappan, who is the petitioner's elder son before this Hon'ble Court and set him at liberty to me.

For Petitioner M/s.Nathan and Associates

For Respondents Mr.A.N.Thambidurai
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

This petition has been filed seeking a direction to the second respondent police to produce the body or person of the detenu aged about 23 years by name A.Parthiban S/o.Ettappan, who is the petitioner's elder son before this Hon'ble Court and set him at liberty.

2. It is the case of the petitioner that his son A.Parthiban, aged about 23 years went missing on 02.09.2014, in connection with which a case in M-4 Red Hills Police Station Cr.No.1222 of 2015 for "man missing" was registered and investigation is in progress. The respondent police have filed a Status Report,

wherein they have stated that this is a case where the young boy had eloped, having entered into a relationship with a married woman by name Malathi, and based on detailed investigation it is evident that the said boy has gone missing along with the said lady. Gopi, the husband of the said Malathi has also lodged a complaint on 11.09.2015, which has been registered as Cr.No.1563 of 2015 for "woman missing" by the Sub Inspector of Police, Red Hills Police Station.

3. In view of the above, we are of the opinion that this is not a case of illegal custody warranting issuance of Writ of Habeas Corpus. Accordingly, this Habeas Corpus Petition is closed. However, the respondent police are directed to proceed with the investigation in Cr.No.1222 of 2015 and keep the petitioner informed of the developments, if any.

gms

-s/d-
Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1.The State rep. by
Superintendent of Police,
Thiruvallur Main Road,
JN Road, Thiruvallur - 602001

2.The Inspector of Police,
M4- Redhills Police Station,
Redhills, Thiruvallur District.

3.The Public Prosecutor
High Court of Madras
Chennai

+ 1 cc to M/s.Nathan Associates, Advocate SR 69566

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